

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

Tyrone Henderson
on behalf of himself and others similarly
situated,

Plaintiff,

v.

Verifications Incorporated,

Defendant.

Civil Action No. 3:11cv514-REP

DECLARATION OF SUSAN M. ROTKIS

I, Susan M. Rotkis, declare:

1. My name is Susan M. Rotkis. I am over 21 years of age, of sound mind, capable of executing this declaration, and have personal knowledge of the facts stated herein, and they are all true and correct.

2. I am one of the attorneys working on behalf of the Plaintiffs in the above styled litigation. I am an attorney at Consumer Litigation Associates, P.C., a six-attorney law firm with offices in Hampton Roads, and Alexandria, Virginia, dedicated solely to representing consumers. My primary office is at 763 J. Clyde Morris Blvd. Suite 1-A, Newport News, Virginia 23606.

3. Since 1996, I have been and presently am a member in good standing of the Bar of the highest court of the State of Virginia, where I regularly practice law. I have also been admitted to practice before and am presently a member in good standing of the bars of the Eastern District of Virginia and the Fourth Circuit Court of Appeals. I was graduated from the

Georgetown University Law Center in 1996.

4. I have been admitted *pro hac vice* in jurisdictions including Arizona, Ohio and Tennessee. I have never been denied admission *pro hac vice*.

5. Since 2010, my practice has been limited to consumer protection litigation under the Federal Consumer Credit Protection Act, 15 U.S.C. § 1601, et seq., which includes statutes such as the Equal Credit Opportunity Act, 15 U.S.C. § 1691, et seq., the Fair Credit Reporting Act, 15 U.S.C. § 1681, and the Fair Debt Collection Practices Act. I am a member of the National Association of Consumer Advocates.

6. Lead class counsel in this case is Leonard A. Bennett, who is a principal and founder of Consumer Litigation Associates, P.C. I have known Mr. Bennett more than twelve years. Since 1994, Mr. Bennett has been a member in good standing of the Bar of the highest court of the State of Virginia, where he regularly practices law. Since 1995, he has been and presently is a member in good standing of the Bar of the highest court of the State of North Carolina. He also has been admitted to practice before and is presently a member in good standing of the Bars of the following courts:

Court:	Date Admitted:
United States Supreme Court	2005
United States Court of Appeals for the Fourth Circuit	2002
Third Circuit	2007
Ninth Circuit	2009
United States District Court for the Eastern District of Virginia	1994
Western District of Virginia	2004
Eastern District of North Carolina	2005
Western District of North Carolina	2007
District of Wisconsin	2006
Eastern District of Michigan	2004
Northern District of Illinois	2003
Northern District of Ohio	2011

He has been admitted *pro hac vice* in jurisdictions across the country including Alabama,

California, Louisiana, Florida, Rhode Island, Hawaii, New Hampshire, Connecticut, Ohio, South Carolina, Pennsylvania, Arizona, Washington and Maryland. He has never been denied admission *pro hac vice*.

7. Mr. Bennett is on the Board of Directors of the National Association of Consumer Advocates. He has been named as a multi-year Virginia Super Lawyer and a 2009 Virginia Leader in the Law. He has been invited to and did testify before the United States House Financial Services Committee on multiple occasions. Mr. Bennett also served on a Federal Trade Commission Round Table, all in this field.

8. Since 2001, Mr. Bennett has spoken at numerous seminars and events in the area of Consumer Credit Protection litigation. These included the following:

2011

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, Memphis, TN, May 2011, Invited Speaker
Multiple Panels;

National Consumer Law Center, National Consumer Rights Conference, Philadelphia, Speaker for Multiple Sessions, November 2009;
Stafford Publications CLE, National Webinar, April 2011
"FCRA and FACTA Class Actions: Leveraging New Developments in Certification, Damages and Preemption."

2010

National Consumer Law Center, National Consumer Rights Conference, Boston, Speaker for Multiple Sessions, November 2010;

2009

Virginia State Bar, Telephone and Webinar Course, Virginia, 2009
"What's Going On Here? Surging Consumer Litigation – Including Class Actions – in State and Federal Court.";

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, Chicago, IL, May 2009,
Multiple Panels;

National Consumer Law Center, National Consumer Rights Conference, Philadelphia, Speaker for Multiple Sessions, November 2009;

2008

National Consumer Law Center, National Consumer Rights Conference, Portland, OR, Speaker for Multiple Sessions, November 2008;

Washington State Bar, Consumer Law CLE, Speaker, September 2008

2007

Washington State Bar, Consumer Law CLE, Speaker, July 2007

House Financial Services Committee, June 2007

National Consumer Law Center, National Consumer Rights Conference, Washington, D.C., Speaker for Multiple Sessions, November 2007

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, Denver, Colorado, May 2007,
Multiple Panels;

U.S. Army JAG School, Charlottesville, Virginia, Consumer Law Course Instructor, May 2007

Georgia State Bar, Consumer Law CLE, Speaker, March 2007

2006

Contributing Author, *Fair Credit Reporting Act, Sixth Edition*, National Consumer Law Center, 2006.

National Consumer Law Center, National Consumer Rights Conference, Miami, FL, Speaker for Multiple Sessions, November 2006

Texas State Bar, Consumer Law CLE, Speaker, October 2006
Federal Claims in Auto fraud Litigation

Santa Clara University Law School, Course, March 2006
Fair Credit Reporting Act.

Widener University Law School, Course, March 2006
Fair Credit Reporting Act.

United States Navy, Navy Legal Services, Norfolk, Virginia, April 2006
Auto Fraud;

2005

Missouri State Bar CLE, Oklahoma City, Oklahoma,
Identity Theft;

National Consumer Law Center, National Consumer Rights Conference, Boston, Mass.
Multiple panels.

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,
New Orleans, Louisiana (May 2005),
Multiple Panels;

United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island,
Consumer Law.

2004

American Bar Association, Telephone Seminar;
Changing Faces of Consumer Law,

National Consumer Law Center, National Consumer Rights Conference, Boston, Mass.
Fair Credit Reporting Act Experts Panel; and
ABCs of the Fair Credit Reporting Act.

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,
Chicago, Illinois;
Multiple Panels

Oklahoma State Bar CLE, Oklahoma City, Oklahoma,
Identity Theft;

Virginia State Bar, Telephone Seminar,
Identity Theft;

United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island,
Consumer Law

United States Navy, Navy Legal Services, Norfolk, Virginia,
Auto Fraud;

Virginia State Bar, Richmond and Fairfax, Virginia,
Consumer Protection Law;

Michigan State Bar, Consumer Law Section, Ann Arbor, Michigan;
Keynote Speaker.

9. Mr. Bennett and the lawyers at Consumer Litigation Associates have substantial experience in complex litigation, including class action cases, prosecuted under the Consumer Credit Protection Statutes, including the Fair Credit Reporting Act. In each of the class cases

where Mr. Bennett has represented Plaintiffs in a Consumer Credit case, the Court found him to be adequate class counsel. In each class action, Mr. Bennett has been lead or executive committee counsel. He has litigated in excess 500 federal cases under the Fair Credit Reporting Act, and in excess of 450 federal cases overall. Since 2004, my law firm has maintained one of the largest civil federal dockets in the Eastern District of Virginia. As of the date of this declaration, Mr. Bennett has lost only seven federal cases at trial or by dispositive motion. He has been lead, co-lead or executive committee counsel in approximately twenty class action cases that were certified either via contested motion or in settlement. He has also been lead, co-lead or executive committee counsel in three of the four largest FCRA class settlements in the gross common fund amounts of \$51 million, \$22 million and \$6.89 million.

10. In addition to Mr. Bennett and the lawyers of Consumer Litigation Associates, P.C., the class is also represented by Dale Wood Pittman and the Law Offices of Dale W. Pittman. I have known Mr. Pittman more than twelve years. He is an experienced consumer protection attorney and the chair of the consumer protection section of the Virginia Trial Lawyers Association. He has practiced law in Virginia since graduating from the University of Richmond School of Law in 1976. He has lectured on consumer protection issues for organizations such as Virginia CLE and the American Bar Association. He has received numerous consumer protection awards and was named "Leader in the Law" in 2010 by the Virginia Lawyers Weekly. My firm often co-counsel's with Mr. Pittman in the representation of consumers.

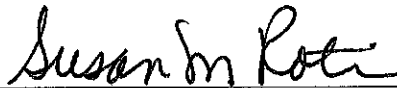
12. My work in the case, but primarily the work of Mr. Bennett and Mr. Pittman, was most significant with regard to facts, legal questions, and challenges unique to Fair Credit Reporting Act (FCRA) litigation in the context of an employer's

use of a consumer report in hiring decisions.

13. Mr. Bennett and CLA have settled at least ten FCRA class cases in this District. The recovery obtained for each class member in this case consistent with that obtained in these other approved settlements.

I declare under penalty of perjury of the laws of the United States that the foregoing is correct.

Signed this 23d day of October, 2012.

A handwritten signature in black ink, reading "Susan M. Rotkis", is written over a horizontal line.

Susan M. Rotkis VSB 40693
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